

3625
ETW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Group Art Unit 3625

In re

Patent Application of

Rick C. Bergman, et al.

Application No. 09/934,408

Confirmation No.: 8112

Filed: August 21, 2001

Examiner: Haq, Naeem U

"METHOD AND SYSTEM OF ORDERING
AND SELLING FOOD AT VENUES "

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

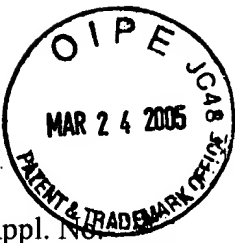
Transmitted herewith is a Response for the above-identified application. No additional claim or extension fees are required. In the event Applicants have overlooked the need to request an extension of time, please consider this such a request. Please charge or credit Deposit Account No. 13-3080 with any shortage or overpayment of the fees associated with this communication.

Respectfully submitted,

Elizabeth A. Egasti
Reg. No. 54,635

File No. 78260-9006-01

Michael Best & Friedrich LLP
100 East Wisconsin Avenue
Suite 3300
Milwaukee, Wisconsin 53202-4108
414.271.6560



Appl. No. : 09/934,408
Confirmation No. : 8112
Applicant : Rick C. Bergman

Filed : August 21, 2001
Title : METHOD AND SYSTEM OF
ORDERING AND SELLING
FOOD AT VENUES

TC/A.U. : 3625
Examiner : Haq, Naeem U

Docket No. : 078260-9006-01

Customer No. 23409

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I, Ellen R. Webb, hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date of my signature.


Signature

March 22, 2005
Date of Signature

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

In response to the Notice of Non-Compliant Amendment issued on February 23, 2005, the Applicants respectfully request the withdrawal of the Notice. The Applicants respectfully present the following information which shows the Notice was issued in error.

The Notice was issued in response to the Amendment filed on behalf of the Applicants on January 7, 2005. The Notice stated that the listing of the claims did not include the text of all pending claims. Particularly, the text for claim 6 was missing. A copy of the listing of claims as filed in the January 7, 2005 Amendment is enclosed for your reference.

The Applicants respectfully point out that claim 6 was canceled in the January 7, 2005 Amendment. According to 37 C.F.R. 1.121(c), the text of a canceled claim is not to be included in the listing of claims.

Accordingly, the Notice was issued in error. The Applicants respectfully request the withdrawal of the Notice and for the Office to continue prosecution of the above-referenced patent application. The undersigned is available for telephone consultation at any time.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Elizabeth A. Egasti', written in a cursive style.

Elizabeth A. Egasti
Reg. No. 54,635

Docket No.: 078260-9006-0
Michael Best & Friedrich LLP
100 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-4108

(414) 271-6560